

***PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**

**MINUTES
CITY OF GLENDALE
CITY COUNCIL WORKSHOP
SEPTEMBER 19, 2006
1:30 P.M.**

PRESENT: Mayor Elaine M. Scruggs, Vice Mayor Thomas R. Eggleston, and Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Phillip Lieberman, and Manuel D. Martinez

ALSO PRESENT: Ed Beasley, City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

1. PROPOSED AMENDMENTS TO THE LANDSCAPE ORDINANCE

CITY STAFF PRESENTING THIS ITEM: Mr. Jon Froke, AICP, Planning Director and Ms. Katherine Emery, City Landscape Architect

This is a request for City Council to review and discuss the proposed amendments to the Landscape Ordinance, as recommended by the Code Review Committee (a subcommittee of the City Council).

The proposed amendments to the Landscape Ordinance will provide an updated ordinance for staff and the development community to refer to during the design review and construction process.

The proposed amendments will more accurately describe the quality of landscaping required in new development projects, establish enhanced buffers to improve the visual quality along major streets in the city, and clarify enforcement of the Landscape Ordinance.

The Code Review Committee initiated a review of the current Landscape Ordinance when it reconvened in October of 2005 and began discussing the proposed amendments in December of 2005. After the review, it was decided that updates to the ordinance would be appropriate since the last update was in 1987.

The process for the proposed amendments to the Landscape Ordinance was extensive in scope. The research effort included an analysis of the deficiencies of the previous ordinance, a survey of ordinances from other Valley cities, site analysis of development projects throughout the Valley, and a calculation of landscape improvements based on the proposed requirements.

The proposed amendments to the Landscape Ordinance focus on:

- o Strengthening requirements for developers to include larger landscaped areas within each project; increasing the amount of landscape material used in projects; and widening landscaped areas along city arterial streets (for landscaped areas privately maintained).
- o Clarifying and enhancing the landscape maintenance responsibilities of property owners.
- o Further identifying and clarifying enforcement procedures.
- o Replacement of missing plant material.
- o Increasing arterial street landscape setbacks from 20 to 30 feet.

On August 25, 1987, Council adopted amendments to the Landscape Ordinance. On July 31, 1984, Council adopted amendments to the Landscape Ordinance. On July 14, 1983, Council adopted the initial Landscape Ordinance.

The Landscape Ordinance is intended to improve the visual and aesthetic appearance of the city through: improved site design; improved livability of residential neighborhoods by ensuring adequate buffers between land uses; and through beautification of the city's streetscape.

There are no budget implications relative to the proposed amendments, as additional landscape plant material and water use will be negligible.

Valley Partnership, a non-profit organization consisting of public and private sector groups that advocates responsible development, reviewed the proposed amendments and provided positive feedback and supported the proposed changes being incorporated into the ordinance.

Staff is requesting Council to review the proposed amendments to the Landscape Ordinance and provide guidance.

Mayor Scruggs stated she wanted to address past cases in which neighborhoods wanted the loading docks in the back of the store. She said that in the past, there had been some issues that developed in neighborhoods with set backs that were proposed. She needed clarification on the 25 feet landscape buffer, and asked why the buffer was needed and for what purpose. She noted that the buffer would be between the loading dock and the wall. She noted that since the loading dock would be behind the store out of view, why would a landscape buffer be needed? She said would reduce the space that is available for development. She stated that she does not want to make it difficult for new development.

Mr. Froke stated that the purpose for the 25-foot landscape buffer was to protect future residential neighborhoods that are near or next to the loading docks. Mayor Scruggs said she was still unclear as to why the landscape buffer was needed. She asked, if it could not be seen because of the wall, who would it benefit? She further added that she understood the visual effect of adding a quality enhancement, but believes it should not be at the expense of land to be developed.

Mr. Froke indicated that there are a couple of provisions that could give them some direction in this case. He said that through the administrative relief process, the zoning ordinance allows the planning director some discretion to work with the applicant; it lessens the development standards by about 10 percent. The other alternative was a landscape variance. Mr. Froke stated that it does not happen often but since the city continues to mature, you will see these types of variances being used. He said he understood Mayor Scruggs concerns and stated that it had not been a problem thus far with commercial and redevelopment projects. Mr. Froke added that every project is dealt with on a case-by-case basis.

Mayor Scruggs said she was concerned the proposed new ordinance indicates that, wherever there is a redevelopment, the developers would be required follow the new ordinance guidelines. She recommended a focus on having relief and discretion for lessening the development standards included in the ordinance.

Councilmember Lieberman stated that he shared the same concerns as Mayor Scruggs. He stated that the landscape buffer that is between the wall and the loading dock does not benefit anyone. He also asked about the set backs on this project. According to Mr. Lieberman, it suggests that the new subdivision development will lose about 10 feet off the back of the property. He asked if the contractors were aware of it. Mr. Froke stated that it had been in the manual since 1999, and there have been no complaints.

Councilmember Martinez stated that he recalled an incident that was similar to this situation. He said it was the Frys by 59th Ave and loop 101. He said the neighborhood had a problem with the noise of the loading dock, and some citizens had to move. Councilmember Martinez said he understood why this buffer could make a difference where a loading dock is right next to neighborhood homes.

Mr. Froke stated that he would be glad to go back to the subcommittee and have further studies done. He will provide an exhibit at the next meeting.

Mayor Scruggs said the old neighborhoods with the old C/2 zoning do not require the new setbacks. She asked whether they have to meet the new ordinances, if they were to redevelop these areas. She stated that she does not want them to lose essential land development by having to meet the ordinances.

Mr. Froke reiterated his position on taking each project on a case-by-case basis. He said in the case of the old C/2 zoning, it would go through design review, which is an administrative process. He stated that the existing zoning would usually prevail. Mayor Scruggs noted that possibly this ordinance may not be enforced when the surrounding areas require something much different.

Councilmember Lieberman stated his concern on a new subdivision annexation by Northern and Parkway. He said the plans suggest that it will be built with an assortment of landscaping. He said he was concerned with the cost of landscaping and watering. He asked who was responsible for the maintenance, the developer or the city. Mr. Froke indicated that the developers are responsible for the cost. He said it was not as substantial as it appeared.

Ms. Katherine Emery, City Landscape Architect, stated that the landscaping is done to match the residential design guidelines. She also stated that citizens want a buffer between them and the development. Ms. Emery said they receive many complaints and requests on that issue. The citizens cited the need for taller walls, larger medium space, and thicker buffers for noise. She said 30 feet is average for commercial projects. She said that the city streets are becoming wider and noisier, thus the need for the wider buffers. Councilmember Lieberman said she made a valid point.

Councilmember Eggleston said he needed clarification on Section 10-7 of the code. He read the explanation of intent of change. Mr. Froke deferred the explanation to Mr. Dan Gunn, Staff representative.

Mr. Gunn said it was an enforcement component for removal and inspection of area landscaping that does not meet standards. He said that they would set out, and do inspections on complaints received. He stated that they do not receive many calls on these issues. He noted typically there isn't an enforcement action because they are resolved without incident.

Mayor Scruggs asked why the committees chose to eliminate the whole section on penalties and only include a civil or criminal penalty. Mr. Gunn said that it fell in line with other parts of the city code. He said it provides discretion on how these cases are approached. He said they would be evaluated on a case-by-case basis.

Councilmember Clark said that she wanted to comment on the previous discussion on the old neighborhoods having redevelopment. She stated she liked the idea of the redevelopment of older commercial areas with a buffer for the noise issue, as well as for the visual characteristics. She indicated that many older citizens always had to deal with the noise. She said that older citizens have not enjoyed the standards that are currently available now for new developments. She added that she hopes the same standards apply to new development as well as the old.

Mayor Scruggs asked for page 5 Section 19-10 B to be reworded, since it was confusing when read. She said it implies that when redevelopment or remodels occur, the contractor must comply and add the 25 feet buffer or demolish the structure to comply. She noted that sometimes that is not a viable option. Mr. Froke stated again that it would not be the case for someone to comply, if they have unreasonable circumstances; it would be at the discretion of staff.

Councilmember Frate said he recognizes the fact that council still has many unanswered questions; it requires a closer look. He stated the landscaping ordinance was revised in 1987. He believes they tried to make it easier to understand, but failed in some areas. He said city and staff are working towards a common goal, to protect and enhance surrounding areas.

Councilmember Goulet echoed Councilmember Frate's statement with concerns for the protection and redevelopment of the older neighborhoods. Mr. Goulet stated that the wording needs to be addressed so as not to confuse and deter anyone who wants to develop. He said their whole intent is to bring future development and to enhance existing ones. He noted he wants to encourage new and innovative ideas.

Mayor Scruggs stated the City Council direction is that staff investigate some of the older neighborhoods and commercial sites then estimate the impact the new set back and buffers would create with regard to space lost in redevelopment with the new variances. Mayor Scruggs directed staff to take a closer look at the proposed eminent domain proposition. Mayor Scruggs wanted assurance that the new ordinance would not cause issues with regard to this proposition. Mayor Scruggs thanked Council members Goulet and Frate, members of the subcommittee, for their willingness to continue working with the subcommittee.

2. MAJOR GENERAL PLAN AMENDMENT (M-GPA06-14): THUNDERBIRD, THE GARVIN SCHOOL OF INTERNATIONAL MANAGEMENT

CITY STAFF PRESENTING THIS ITEM: Mr. Jon Froke, AICP, Planning Director and Mr. Ron Short, FAICP, Deputy Director for Long Range Planning

This is a request for City Council to discuss a Major General Plan Amendment to the General Plan Land Use Map for Thunderbird, The Garvin School of International Management.

Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. Major General Plan Amendments are tools that can be used by the city to direct and manage growth.

The request is for a Major General Plan Amendment from Education (EDU) and Business Park (BP) to Corporate Commerce Center (CCC).

This is a Major General Plan Amendment only, and is not a rezoning request. While a rezoning request has been filed on the property, it will be brought to Council at a later date.

The Corporate Commerce Center designation provides for the development of mixed-use employment centers, with complimentary community and specialty retail, hotels, restaurants, major medical facilities, entertainment and destination uses serving the region. Integrated urban character housing is permitted in limited quantities and at certain phases of the development.

The desired land use mix within the Corporate Commerce Center designation is 55 percent office, 30 percent retail, and 15 percent housing.

Because of its size, approximately 150 acres, this request is considered a Major General Plan Amendment by the City of Glendale, and processed by the city in conformance with state statutes governing Major General Plan Amendments, including two public hearings (one at an off-site location) by the Planning Commission, and one

public hearing by Council, prior to adoption by a two-thirds vote in favor of the amendment. Major General Plan Amendments do not require voter approval.

The site is approximately 150 acres in size, generally bounded by Greenway Road on the north, 55th Avenue on the east, the Deerview single-family residential subdivision on the south, and 59th Avenue on the west.

The property currently has three components. The major portion of the property (approximately 82 acres) is used as the university. The YMCA occupies approximately five acres at the southwest corner of the site. The remainder of the property, approximately 63 acres, is now vacant, and the General Plan Amendment is the first step in developing a new plan for this property and updating the master plan for the school.

The Major General Plan Amendment will encourage in-fill development on one of the largest tracts of vacant land in this part of Glendale.

Staff is seeking guidance from Council to continue with the Major General Plan Amendment process for this request in accordance with the procedure prescribed in the state statutes.

Mr. Froke introduced two staff members, Thomas Ritz, Senior Planner and Ron Short, Deputy Director. He said the discussion today is in regards to one of the four major amendments that have been filed regarding the Thunderbird School of International Management. He said the request is to amend the land use map in the General Plan from EDU to CCC. He stated that Thunderbird is requesting this amendment to achieve a competitive advantage in recruitment of students as well as the sustainability of the campus. He also noted that they are looking at mixed-use profits, and are looking for a corporate partnership to improve on site amenities. Mr. Froke stated there would be further meetings and discussions scheduled.

Councilmember Martinez asked if this would be addressed on the next Planning Committee Meeting and if it would be aired on TV. Mr. Froke answered yes, the meeting will be aired on October the 5th on channel 11. He said they are working with channel 11 to be on campus.

Councilmember Goulet stated that there is likely to be a lot of interest and questions generated from this amendment and added that there might be concerns about parking and the scale of the buildings. He asked how it was being handled. Mr. Froke said that notification for this amendment is extensive. He stated they are sending out 4,000 cards in about a ½ mile radius. He said the applicant would also be posting informational signs on the premises. He also said that the issues that have come up so far are generally related to zoning requirements and not commercial. He noted they would be working very closely with the surrounding neighborhoods.

Councilmember Frate said that the meetings regarding the Thunderbird School amendments are very informative and most people attending them have had their concerns alleviated. He noted that Thunderbird School is committed to enhancing the school and the community. He said it is a sense of pride that drives the project. He stated he is proud to support it; and it was critical to the development that they alleviate any concerns the public may have.

Councilmember Lieberman noted that in the past the area was a school for flying. He said there had been many changes since then. He stated he has seen the run ways give way to development. He said he believes it is a worthwhile project.

Mayor Scruggs asked for further comments. No comments were made. Mayor Scruggs noted the General Plan Amendment process would continue.

ADJOURNMENT

The meeting was adjourned at 3:00 p.m.